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LETTER DATED 17 SEPTEMBER 1992 FROM THE CHARGE D'AFFAIRES A.I. OF THE PERMANENT MISSION OF SOLOMON ISLANDS TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

The Government of Solomon Islands would like to call to the attention of the Security Council factors which are affecting the peace and security of our region. We would like to draw to the attention of the Council violations of our sovereign territory and acts of aggression which have been committed by the armed forces of the Government of Papua New Guinea against Solomon Islands.

Bougainville is an island 6 kilometres to the north of Solomon Islands. It shares common geographic, cultural and ethnic traits with Solomon Islands and its people. However, due to the colonial subdivision in 1899 by Germany and Great Britain, the island was separated from Solomon Islands and, through the processes of decolonization, it became part of the independent State of Papua New Guinea.

In 1989 an uprising on the island by the people caused Papua New Guinea to withdraw from the island. Since 22 April 1990, the island has been under a very strict military blockade, which has excluded the access of medical and all other supplies to a large proportion of the people of Bougainville.

As an independent State, Solomon Islands has respected the right of the Government of Papua New Guinea to find an internal solution to this problem, including hosting the last substantive peace talks between the two parties in our capital, Honiara.

We have supported the blockade within all reasonable parameters but have allowed the transiting of urgently required medical supplies to the civilian population of the areas affected most seriously by the blockade, as is our duty under the human rights instruments of the United Nations.

We have arrested and prosecuted a number of Bougainvilleans found trafficking in arms in Solomon Islands. This notwithstanding, on a number of occasions Papua New Guinea has blatantly displayed disrespect for the sovereignty of Solomon Islands. In particular we would like to bring to the attention of the Security Council the shelling by Papua New Guinea Defence

Force Commandos of a fuel dump at Bomana Bay settlement in the Shortland Islands of Solomon Islands at 2000 hours on 12 March 1992. During the shelling of the fuel dump, it was estimated that more than 70 to 90 rounds of ammunition were fired from approximately 6 to 7 M-16 machine-guns, causing considerable fear and endangering the lives of innocent and unarmed men, women and children.

Moreover, at 0730 hours on 18 March 1992, 10 Papua New Guinea Defence Force Commandos armed with M-16 machine-guns entered Bomana Bay Settlement on two outboard motor-powered canoes and set fire to 114 drums of fuel, causing considerable damage to the surrounding environment and endangering the lives of innocent and unarmed citizens of Solomon Islands. A protest note enclosed herewith was subsequently sent to the Government of Papua New Guinea (see annex I).

Solomon Islands has been most understanding of the dilemma faced by Papua New Guinea in dealing with the problem of the strong will for self-determination displayed by the people of Bougainville. But we have also expressed to the Government of Papua New Guinea our grave concern over the denial of the basic social, cultural, economic, political and civil rights of the people of Bougainville through the use of this prolonged blockade. We have expressed our concerns at the rising number of fatalities at the village level due to the lack of medical supplies and facilities, estimated to be as high as 5 per cent of the population since April 1990. We have expressed concerns that an epidemic resulting from these conditions would seriously threaten the people of Solomon Islands, particularly our northern provinces.

We have at all times encouraged the people of Bougainville and the Government of Papua New Guinea to settle the dispute between them through peaceful negotiations.

We are, therefore, dismayed that Papua New Guinea on 12 September 1992, violated our territorial sovereignty and used armed force against unarmed citizens of Solomon Islands, thereby contravening Article 2 (4) of the Charter of the United Nations. Between 0400 hours and 0430 hours on 12 September 1992, two outboard motor-powered canoes carrying Papua New Guinea Defence Force Commandos armed with machine-guns were seen entering the Komaliae passage in Solomon Islands from Papua New Guinea.

The Papua New Guinea Defence Force Commandos shot an unarmed women in the leg while she was attempting to escape. She subsequently died from loss of blood. Her three-year-old child was also wounded and is in serious condition. The Commandos also shot the woman's unarmed brother at point-blank range, killing him instantly. The Commandos abducted the woman's husband and took him to Papua New Guinea. His whereabouts are still unknown.

These actions against the people and Government of Solomon Islands, in a region where many of our people are directly related to the Bougainvilleans, represent a real and serious threat to the stability of our nation and threaten the long-standing good relationship between the Government of Papua

New Guinea and the Government of Solomon Islands. We therefore request the Security Council to investigate the situation in accordance with Article 34 of the Charter.

In the light of these matters, we request the Security Council in accordance with the Charter to:

(a) Call upon the Government of Papua New Guinea to offer a full and public apology to the people and Government of Solomon Islands;

(b) Call upon the Government of Papua New Guinea to return immediately the Solomon Islands citizen who was abducted;

(c) Reaffirm its commitment to the Charter of the United Nations regarding respect for the sovereignty of States, with a special undertaking not to violate further the sovereign territory of Solomon Islands;

(d) Undertake to compensate the Government of Solomon Islands for this recent act of unwarranted aggression against the sovereign State of Solomon Islands;

(e) Urge the Government of Papua New Guinea immediately to seek a peaceful resolution to the crisis on Bougainville through negotiation and to ensure the full restoration of all human rights to the people of Bougainville as provided for in the Charter and general international law;

(f) Urge the Government of Papua New Guinea to cease all actions of a military nature in the region in the interest of peace, stability and regional security and to proceed with the implementation of the basis for the peaceful resolution of the matter as contained in the Honiara Declaration of January 1991, including the installation of a regional multinational peace-keeping team;

(g) Request the good offices of the Secretary-General to investigate the Solomon Islands/Papua New Guinea border circumstances surrounding the killing of two Solomon Islands citizens and the wounding of a Solomon Islands three-year-old child by Papua New Guinea Defence Force Commandos on 12 September 1992 in Solomon Islands sovereign territory.

In this connection, I wish also to enclose a note dated 15 September 1992 from my Government addressed to the Government of Papua New Guinea (see annex II).

I should be grateful if this letter and its enclosures were circulated as a document of the Security Council.

(Signed) Bernard BATA'ANISIA
Chargé d'affaires a.i.

Annex I

Note dated 23 March 1992 from the Ministry of Foreign Affairs and Trade Relations of Solomon Islands addressed to the High Commission of Papua New Guinea in Honiara

The Solomon Islands Government expresses its deepest concern over the most recent atrocities that occurred on its side of the border instigated by the Papua New Guinea defence personnel, reported and confirmed by its police personnel at Korovou.

The first incident occurred on 12 March 1992 at 8 p.m., wherein three ray boats, powered by outboard motors and carrying three armed and masked men, illegally entered Bomana Bay settlement in the Shortland Islands, and from about 70 metres offshore fired flares into the air in the direction of the fuel depot, followed by an open fire using machine-guns. The report estimated that over 70 to 90 rounds each were fired from 6 or 7 guns. This account was provided by eye-witnesses at the settlement. Women and children rushed and hid in the nearby bushes when the firing took place.

On the morning of 13 March 1992, Solomon Islands police called at the scene and a close examination of it confirmed that the arms used were M-16 rifles, evidence being the bullets stuck on coconut tree trunks. Several coconut trees, house walls and three fuel drums were damaged as a result of the open fire. The impact of gunshots on the people of Fouro Island is enormous following the incident and people are said to be living in terror, especially each time a Papua New Guinea patrol craft pointing firearms at the village is sighted as it speeds past.

The second incident occurred on 18 March 1992, when two ray boats each carrying five armed men dressed in Defence Force green uniforms again stormed the same scene (the fuel storage) at 7.30 a.m. The armed men, seeing no one around, set ablaze the fuel depot and escaped to rejoin the Papua New Guinea Patrol boat anchoring at Tuaroto Island on the latter's side of the border. About 114 drums of fuel were totally destroyed by fire and over 100 coconut trees destroyed.

Police at Korovou were called to the scene two hours later only to see the extent of the damages. It was realized that the primary purpose of the action taken by the Papua New Guinea Defence Force was to destroy what was believed to be the main source of fuel supply to Bougainville Revolutionary Army activities. Whilst that belief has yet to be ascertained, it is however alarming to note that the defence personnel are illegally and deliberately entering our waters and the islands at will, without the knowledge of the Government of Papua New Guinea and the permission of the Government of Solomon Islands, thereby violating the territorial sovereignty of Solomon Islands.

The essence of this note serves to convey to the Government of Papua New Guinea the Solomon Islands Government's serious concern over the irresponsible

behaviour of the defence personnel and disrespect for the sovereign rights of Solomon Islands. Solomon Islands considers such action as an act of terrorism unnecessarily infiltrating fear on its citizens and does not augur well for stable Solomon Islands-Papua New Guinea relations. It is therefore the foremost hope of the Solomon Islands Government that the Government of Papua New Guinea address this particular act of the Defence Force personnel with a view to putting an end to any similar actions.

Annex II

Note dated 15 September 1992 from the Ministry of Foreign Affairs and Trade Relations of Solomon Islands addressed to the High Commission of Papua New Guinea in Solomon Islands

The people and Government of Solomon Islands express with deep shock and displeasure the atrocious and sadistic acts of members of the Papua New Guinea Defence Force on innocent and unarmed civilians of Solomon Islands at Komaliae village in the Shortland Islands, which led to the unfortunate death of two Solomon Islands civilians, the wounding of a three-year-old child and the abduction of a Solomon Islands civilian and destruction of properties on Saturday, 12 September 1992. The acts of members of the Papua New Guinea Defence Force were totally unprovoked and uncalled for in the circumstances.

The specific particulars of the actions of the Papua New Guinea Defence Force are as follows. At between 0400 hours and 0430 hours on Saturday, 12 September 1992, two outboard motor-powered canoes identified as belonging the Papua New Guinea Defence Force were seen entering Komaliae village in the Shortland Islands. On reaching the shore, the soldiers went into the village, whereupon they destroyed the trade store lights and fired shots from M-16 machine-guns at the fuel drums in the compound. A woman who attempted to escape from the scene with her three-year-old child was fired at, injuring both her and her child seriously. The women subsequently died from loss of blood. Her brother, Peter Kamaraia, who came out of his house to investigate the noise, was stopped by two soldiers at gunpoint. He was shot at point-blank range while trying to free himself. These were unprovoked attacks on unarmed civilians.

The people and Government of Solomon Islands protest in the strongest possible terms the brutal killing of its citizens over an internal dispute in which they have had little part to play. The Government of Solomon Islands does not wish to pay in blood and life over a dispute that ought to be fought on the sovereign soil of Papua New Guinea. The incursions into Solomon Islands territory by members of the Papua New Guinea Defence Force is a breach of the long-established principle of international law enshrined in Article 2 (4) of the Charter of the United Nations, which prohibits Members of the United Nations to use armed force against the territorial integrity or political independence of Member States. The killing and wounding of innocent and unarmed citizens by agents of Papua New Guinea is not only a breach of the most minimum standards of human decency, but it is also a serious offence against the criminal laws of Solomon Islands. The fact that the incursions involved members of the Papua New Guinea Defence Force must raise questions pertaining to the responsibility of the Government of Papua New Guinea in international law.

The people and Government of Solomon Islands also protest against the act of piracy committed by the members of the Papua New Guinea Defence Force, and we implore the responsible authorities of the Government of Papua New Guinea

immediately to return the person of Mr. Beiaruru who was abducted on Saturday, 12 September 1992.

Not only has the Government of Papua New Guinea, through the members of its Defence Force, violated Solomon Islands territorial integrity, they have also committed serious crimes against the laws of Solomon Islands, and therefore the people and Government of Solomon Islands call for just punishment of those involved. The people and Government of Solomon Islands not only see this as a violation of their territorial sovereignty, they perceive this as a breach by the Government of Papua New Guinea of its international legal obligations specified in article 18 of the Vienna Convention on the Law of Treaties, which requires it not to do anything that would undermine the objective of a treaty that has been signed but not yet ratified. In this regard, the attention of the Government of Papua New Guinea is brought to article 2 of the Treaty between the Independent State of Papua New Guinea and Solomon Islands concerning Sovereignty, Maritime and Seabed Boundaries between the Two Countries and Cooperation on Related Matters, which was signed in Port Moresby on 25 January 1989.

Without prejudice to other diplomatic options the Government of Solomon Islands is pursuing, we would like to call upon the Government of Papua New Guinea:

(a) Immediately to give an assurance of the safety of Mr. Beiaruru, who was abducted, and his safe return to Komaliae village;

(b) To give an expression of regrets and excuses to the people and Government of Solomon Islands;

(c) To make payment of an indemnity in favour of the families of the deceased;

(d) To bring those involved in this criminal act to justice.